

**CITY OF CHEROKEE VILLAGE, ARKANSAS
CITY COUNCIL MINUTES
APRIL 17, 2008**

The Honorable Mayor Lloyd Hefley called the regular monthly meeting of the City Council to order at 7:00 P.M., Thursday, April 17, 2008.

Mayor Hefley led the Pledge of Allegiance followed by a moment of silent prayer.

ROLL CALL: Clerk Endrihs called the roll. Present were: Newman, Martin, Oberding, Paul, Petersen, Stokes, Thone and Viers. Also present was Attorney Jon Abele.

AGENDA: Stokes moved to accept the agenda after adding “Executive Session” to it following PUBLIC COMMENTS: City related issues. Viers seconded; motion passed unanimously.

PUBLIC COMMENTS ON AGENDA ITEMS: There were none.

APPROVAL OF MARCH 20, 2008 MINUTES: Viers moved that they be accepted as written, Oberding seconded. Roll call taken; motion carried unanimously. Martin questioned whether or not we were adding the video DVD to the Minutes file. Clerk Endrihs replied that we had them for this year’s meetings and they would be filed along with the approved minutes.

MAYOR’S REPORT: The Mayor reported that he and Romans had attended the ARML Class I Cities Advisory Group Meeting in Little Rock April 3, 2008. The Council members were each given a list of Resolutions, for their information, that were passed or rejected by those attending the Advisory Group Meeting. One resolution may possibly affect Cherokee Village in the future and that is taxes on rental property.

Due to conflict of time with those involved, the debris on Flathead would be checked further at later date. It is apparent that the gravel washed up was a result of the flooding and would be taken care of.

Regarding the water problem at the area of the new high school gym, the Mayor indicated that he had Joe Clark go over and check it out. Stokes indicated that it looked like a drainage problem. The set up to be used did not work properly and the water found its way to the road and across it. Martin questioned if Highland had been contacted due to the fact that the gym is in their city. He had previously mentioned it to them; and he added that Highland is awaiting direction from Cherokee Village. This definitely needs working on and could be approached with Highland and Cherokee Village together. The Mayor indicated that the high school would be contacted to see what plans for solution of this problem are being considered. Martin suggested that we move quickly and that direction is needed from us.

CLERK'S REPORT: Clerk Endrihs reported that Romans and she had attended the Federal Wage and Salary Meeting in Little Rock on April 2nd, which covered the Fair Labor Standards Act general issues. She also indicated that it was time to get in the registration and reservations for the ARML 74th Convention in Hot Springs June 18-20.

EXECUTIVE ASSISTANT REPORT: Romans worked the booth at the FNBC Home and Garden Show. He reported that there was a good crowd, people became more aware of the Animal Shelter's presence in the area, some money donations were received, and our new Animal Control Officer brought over some puppies to show. Unfortunately, although the children were very much interested, the parents were not at this time.

FINANCIALS: After a couple of questions were answered with the help from the computer showing the items in question and what they were for, Stokes moved that we accept the report, seconded by Newman, motion carried. (Report on file).

CORRESPONDENCE: Clerk Endrihs read the following:

1. Letter from Dan & Martha Chester thanking the City for the prompt action taken on a fallen tree blocking the road.
2. E-mail from CV Golf Shop announcing that the front 9 was now open at the North Golf Course; back 9 to remain closed at this time.
3. Letter from AR Ozark Gateway Region issuing an invitation to attend the Ozark Gateway Leo Rainey Tourism Appreciation Banquet to be held on May 12th at the Riverbend Restaurant in Mammoth Spring.
4. A letter of resignation from Cyril J. Bertram due to health problems. The Council then voted to send a thank you card to Cyril signed by all Council members thanking him for his dedicated service to the City.
5. An invitation to the City Council from Peggy Sue and Scott Goodwin and families inviting them to attend their wedding on June 7, 2008, 11:00 AM, Highland Hills Baptist Church.

DEPARTMENT REPORTS:

FIRE: Chief Taylor reported that his Department had responded to 45 calls during March. The firefighters trained for a total of 220 hours on various subjects; and trained for 2 hours on Fire Suppression and 2 hours on Ventilation. The paid Firefighters are currently enrolled in Hazardous Materials Operations Level training to be completed in April. The CPR instructors trained 4 of the local nurses in CPR this month and are in the process of training all city employees. (Report on file) The incident number was much higher this month due to the flooding as they helped the Street Department to get the culverts cleaned out so water would flow properly.

Thone asked the Chief regarding grants. Taylor replied that he has heard nothing yet; but needs \$5000 per regular fireman to include breathing apparatus and \$1500 to outfit volunteers. He added that only the paid firemen have this breathing apparatus. Those without are to remain outside the burning building. The new truck is on order with hopeful arrival date around Christmas.

POLICE: Chief Goodwin reported that the Police Department had issued 41 Citation Totals by Violation and 51 Incident Primary Offense Totals (report on file). Questions were asked by Council members and answered by Chief Goodwin regarding some of the offenses. Regarding the Wolff dog issue, the Chief replied that a citation was issued last week.

Chief Goodwin reported that Shorlyn Morris, the new Animal Control Office, was working out fine. She was due to be at this night's meeting; but there was a scheduling conflict. He indicated that there were some 4 animals adopted and 3-4 euthanized by a local vet. Also, a local vet can certify for euthanasia.

Right now they are looking for volunteers with equipment to mow the grass. It was agreed that paying a person with his/her own equipment might be less expensive than purchasing a lawn mower costing \$2500 or more; and then being responsible for repair costs. The Open House is scheduled for May 3rd.

Thone questioned when the Shelter sign would be put up. The Chief replied that weather had delayed the sign being posted; however, it was due to be put up today.

Thone further questioned the purchase of a truck for a personal vehicle rather than a car. Chief indicated that it was very useful in moving things around from here to Shelter and elsewhere. Many items did not quite fit in his car and personnel were using their own personal trucks.

Question was also raised on \$800+ spent on shirts. These were purchased with grant FY 2006 funds and would be worn by police workers, neighborhood watch personnel, etc., to promote their program. Purchase is usually made before the money is received as we have to wait for money to be funded down from the County.

Regarding Central Dispatch, the Chief replied that he had talked with the County Sheriff and it is being looked into. Further check revealed that it may not be feasible; however, there may be another avenue that has to be checked.

What about new Code Enforcement Officer? This officer will be 20 hours a week and under supervision of Planning & Zoning. Robert Kincaid was hired and due to start Monday, April 21st.

STREET: In the absence of Cherry, Stokes reported on the Streets (report on file). He further reported that the pugmill is due the 2nd week of May.

COMMITTEE REPORTS:

PLANNING & ZONING: In the absence of Tom Hrezo, Allen Maxedon presented the report. Permit Comparisons for last month and this month, 2007-2008, were read (report on file).

Newman asked about the complaints from the citizens – one in particular, Jackie LeBeau, and if they had checked this out. This was followed through.

Oberding then presented an exhibit of a Standby Letter of Credit and a revised Business Permit Application. Much discussion followed. Due to the tabling of 3 Ordinances in 2007, which were expected to be brought up tonight and then not presented; and because of the controversy regarding these Ordinances, the Mayor

indicated that this required more discussion and should be reserved for the working meeting. Mayor said that he would see that this gets resolved prior to next meeting.

The rezoning meeting went well and there was no objection from those in attendance on changing the coding of property on Hospital Drive and in area of Street Department Shop. (Report on file). Motion was made by Stokes to accept this report and seconded by Newman. Roll call taken: YES – Newman, Oberding, Paul, Petersen, Stokes, Thone and Viers; Martin abstained.

Sphere of Influence – Contact has been made with surveyor on one parcel of land near the water tower; second out by airport, and then an area by South Golf Course – being able to use these facilities with out annexing the property. When results are received, this will again be brought up to Council.

OLD BUSINESS:

Martin moved that title only be read, seconded by Oberding, unanimously approved. Clerk Endrihs read title only in our 3rd reading of Proposed Ordinance No. 2008-3 – AN ORDINANCE ESTABLISHING PERMIT COSTS AND PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES. Martin moved that we accept; seconded by Newman. Roll call was taken and unanimously passed. (Proposed Ordinance No. 2008-3 now becomes Ordinance 2008-2 permanently.)

NEW BUSINESS:

The following Committees and members were approved:

GRANTS – Mike Taylor, Scott Goodwin, Terry Romans and Ellen Repar. Stokes moved that they be accepted; seconded by Newman, unanimously passed.

PERSONNEL – Verna Mae Newman, Mary Ann Jagow, Pat Just, Phyllis Endrihs and Terry Romans. Newman moved that we accept; seconded by Paul. Roll call taken – YES - Newman, Paul and Petersen; NO – Martin, Oberding, Thone and Viers. Stokes abstained. Thone requested that Endrihs and Romans not be on this committee (no elected official and no employee). Martin moved to accept; seconded by Oberding. Roll call again taken – Yes – Newman, Martin, Oberding, Paul, Petersen, Thone, Viers; Stokes abstained. Endrihs and Romans may sit in on meeting but can not vote.

WEBSITE DEVELOPMENT – Frank Fitzgerald, Ellen Repar, Terry Romans, Scott Goodwin, Charles DeLoach, Mike Taylor and Tom Thone. Martin moved that we accept; seconded by Oberding. Roll call taken; unanimously passed.

Clerk Endrihs then read Resolution No 2008-06 – A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH OZARK ACRES SUBURBAN IMPROVEMENT DISTRICT NO. 1 FOR THE PROVISION OF ANIMAL CONTROL SERVICES AND ESTABLISHING THE COMPENSATION THEREFORE. Thone moved that we accept; seconded by Martin. Discussion followed. Roll call taken: Yes – Newman, Paul, Petersen, Stokes, Thone and Viers; No – Martin; Abstain – Oberding.

PUBLIC COMMENTS: City related issue. Stokes reported that on May 3rd the City would have a city- wide spring cleanup with rain date of May 10th. No chemicals, combustibles, batteries, appliances with Freon, motors with fuel, paint cans with paint. Dumpsters will be set up in the City hall parking lot. Property owner's ID will be required.

The council then broke up into executive session. Upon return it was indicated that no action was taken.

ADJOURNMENT: Stokes moved that we adjourn; seconded by Martin; unanimously passed.

DATE: _____

APPROVED: _____
Mayor Lloyd Hefley

ATTEST: _____
Phyllis J. Endrihs, Clerk/Treas.